

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PHILLIP B. ASHDOWN,)	3:11-cv-00832-LRH-WGC
)	
Plaintiff,)	<u>MINUTES OF PROCEEDINGS</u>
)	
vs.)	January 23, 2013
)	
PRISON HEALTH SERVICES, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: Katie Lynn Ogden REPORTER: FTR

COUNSEL FOR PLAINTIFF: Phillip B. Ashdown, In Pro Per (Telephonically)

COUNSEL FOR DEFENDANT(S): Elizabeth Hickman

MINUTES OF PROCEEDINGS: Motion Hearing

9:31a.m. Court convenes.

The court first addresses plaintiff's Motion to Extend Time (Dkt. #127). The court notes that it appears the subject of this motion is moot because plaintiff has filed his Objections to the Report and Recommendation on September 18, 2012 (Dkt. #128). Plaintiff concurs with the courts observation that the subject matter is moot at this time. Therefore, plaintiff's Motion to Extend Time (Second Request) to File Objections Regarding Dkt. #108 Report and Recommendation (Dkt. #127) is **DENIED as moot**.

The court next addresses plaintiff's Motion to Stay (Dkt. #111). As reflected in the Minutes of Proceeding Order (Dkt. #119), the court had advised the parties that the motion to stay would be addressed by District Judge Hicks. Thereafter, Magistrate Judge Cobb was informed and directed to proceed and address the motion. Therefore, the court requests that Mr. Ashdown briefly summerize his motion to stay.

Mr. Ashdown informs the court that he had been denied the right for a place (i.e. library, "day-room") to work on his legal work at the Northern Nevada Correctional Center ("NNCC"). Mr. Ashdown indicates that he did file a grievance with NNCC in attempt to resolve the problem at the institutional level. Mr. Ashdown represents that his attempt to resolve the problem at the institutional level was successful and NNCC reopened the "day-room." In light of this, and for reason that Mr. Ashdown is no longer in confinement with the Nevada Department of

By: /s/
Katie Lynn Ogden, Deputy Clerk